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4 Attorney for Defendant  
JOE CHU RANG WONG  
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6  
7 **IN THE UNITED STATES DISTRICT COURT**  
8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
9

10 UNITED STATES OF AMERICA,

11 **Plaintiff,**

12 v.

13 **JOE CHU RANG WONG, and**  
14 **STACY WU**

15 Defendants

No. CR 05-00073 SI

**STIPULATION AND [PROPOSED]  
ORDER EXCLUDING TIME**

16 The parties stipulate and agree, and the Court finds and holds as follows:

17 This matter is currently scheduled for a status hearing and entry of plea June 24, 2005 at  
18 11:00 a.m. Dayle Carlson, the retained sentencing consultant for defendant Joe Wong has been  
19 out of town on vacation and has not been able to workout the final plea agreement in the case.  
20 Additionally, counsel for Mr. Wong has been retained in a Homicide case in Yreka, California  
21 and is unavailable on June 24, 2005. The homicide is alleged to have occurred June 18, 2005.  
22 John Runfola, counsel for the defendant therefore requests a continuance to insure that the matter  
23 is adequately prepared, taking into account the exercise of due diligence.

24 The parties request that the Court make a finding that the time between June 24, 2005,  
25 and July 8, 2005 should be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), and  
26 the Federal Rule of Criminal Procedure 5, because the ends of justice served by taking such  
27 action outweigh the best interest of the public and the defendant in a speedy trial. That finding is  
28 based on Wong's request for additional time to confer with his sentencing consultant regarding

both Bureau of Prisons incarceration options as well as an accurate restitution determination, and to insure adequate preparation of his counsel. That finding should be made pursuant to 18 U.S.C. §3161(h)(8)(B)(iv).

The parties hereby agree and request that the case be continued until July 8, 2005 at 11:00 a.m., and that an additional exclusion of time until that date be granted. The parties agree and stipulate that the additional time is appropriate and necessary under Title 18, United States Code, § 3161(h)(8)(A), because the ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial.

**IT IS SO STIPULATED.**

Dated: 06/22/05

/s/  
\_\_\_\_\_  
JOHN M RUNFOLA,  
Counsel for JOE WONG

Dated: 06/22/05

/s/  
\_\_\_\_\_  
DOUGLAS RAPPAPORT  
Counsel for STACY WU

Dated: 06/22/05

/s/  
\_\_\_\_\_  
PHILIP J. KEARNEY  
Assistant United States Attorney

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

